

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, <i>et al.</i> , <i>ex rel.</i> JOSEPH B. SHEA,)	
)	
)	
Plaintiffs,)	No. 20-cv-10210-ADB
)	
v.)	
)	
ARTHREX, INC., PETER MILLETT, M.D., and ALM RESEARCH LLC,)	
)	
)	
Defendants.)	
)	

[Proposed]
ORDER ON PLAINTIFFS' JOINT NOTICE OF PARTIAL DISMISSAL

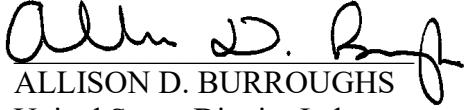
Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) and the terms of a settlement agreement among the United States, the relator, and defendant Arthrex, Inc. (“Arthrex”), the plaintiffs have filed a Joint Notice of Partial Dismissal. It is hereby ORDERED that this action shall be dismissed in part as to Arthrex. The dismissal as to Arthrex is 1) with prejudice to the United States as to claims set forth in the Covered Conduct, as defined in Recital Paragraph C of the settlement agreement; 2) without prejudice to the United States as to all other claims against Arthrex; 3) with prejudice as to the relator; and 4) without prejudice to the Plaintiff States.¹

In addition, in accordance with the terms of the Maryland False Health Claims Act, Md. Code Ann., Health Gen, § 2-604(a)(7), the State of Maryland having declined to intervene in this matter, all claims asserted on behalf of Maryland are hereby dismissed without prejudice.

¹ The Plaintiff States consist of Alaska, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maryland, Michigan, Minnesota, Montana, Nevada, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Vermont, Washington, and Wisconsin; the Commonwealths of Massachusetts, Puerto Rico, and Virginia; and the District of Columbia.

This order does not dismiss relator's non-Maryland claims as to defendants Peter Millett and/or ALM Research LLC.

Dated: 11/17/2021


ALLISON D. BURROUGHS
United States District Judge